Pleas. F. 59-94

G. R. S. IX-5]

Previous references.

L. R. 163-94 (Sls 1-9) 1887 ~~1902~~ (L. R

File No. 45-87

Serial Nos 1-5

Later references.

(P-46) E 61

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for

SUBJECT.

Petition of Shamappa and others about the dispute between the ryots of Dabbanbhyaranhalli and Sankalapur villages re: their grazing rights

To.

The Deputy Commr Shimoga

No. 2626 Dt 9-7-89.

Cancels the decision of the D.C. re: the respondent's right of grazing in the free pasturage lands of the Appellant's village. In regard to the decision of assessed waste for the purpose of pasturage between the Appelants & the Respondents orders have been issued to the D.C. to make an equitable arrangement.

WD 1888—GPB—16,826—23-7-21

Appeal No 2626
dated 1st Dec. 1887

Appellants
Parasambhalla for
villagers of Dabbanbherankalli
in the Taluq of Shikarpur

This is an appeal against the decision of the Dy Comrs of Shemoga Dt dated 29th Sept. 1886 allotting a portion of their pasture lands to the villagers of Shankalapur.

The facts of the case are briefly as follows.—

In 1875, the ryots of Shankalapur who also cultivates lands in the village of Appellants, claimed a portion of the pasture lands of the Appellants' village Dabbanbherankalli for the use of their cattle. In March 1876, the Amildar decided that the claimants were not entitled to any land & dismissed their claim.—
In December 1883, the claimants repeated their

Claim in Mer Petition to
the Dewan & Mer was referred
to the Dy Comr for report,
In 1885, the Dy Comr decided
that the Ryots of Shankalapur
as held lands in Dabbana
bharavanhalli were entitled
to graze their cattle
in the fee pasture lands
as well as in the assessed
waste of the Village. The
claimants were not satisfied
with the order & they wanted
the assessed waste & the fee pasture to
be divided between them & the
Ryots of Dabbanabharavanhalli
in equal shares. After some
enquiry the Dy Comr decided on 29th Sept 1886
that the assessed
waste of Dabbanabharavan
halli should be divided
between the Ryots of that Village
& those of Shankalapur
& that both of them should
be allowed to graze their
Cattle on the fee pasture.

endeavoured to settle the matter amicably

The Ryots of Dabbanbharavanhalli
appeal against this order.

The Shanmuga appears for all
appellants - He states that there
is no objection to assessed
waste being divided, but Ryots
& Respondents grazing in the

Fee pasturage
under sec 40 of
the Land Revenue Code,
the right of grazing on
fee pasturage lands
extends only to the cattle
of the village in which such
lands belong. Thus
the decision of the Dy Comr
would be so far modified —
as to exclude the rights
of Dhankalapers from grazing
on the fee pasturage lands. —
the rest of the order was held good.
All sec 40
41/1894 of the Code

as follows —

1 Fee pasturage cannot be
allowed to the rights of
Dhankalapers. The latter
may have their proportionate
share of assessed waste
the proportion being with reference
to the area cultivated by them
in Dalwantalo

All the rights holding lands
in a village & paying assessment
directly to Govt are entitled
to graze their cattle on the
waste lands of the village
whether mafee waste or
assessed waste, but they
can only be allowed to
graze their cattle in
proportion to the assessment
they pay to Govt. — If division
of the lands in that proportion
be possible, the Dy Comr
may cause them to be
divided accordingly. —
If not, they must graze
their cattle jointly. — The
rights of one village cannot
be allowed to have the
waste lands of another
on the ground that they have
more cattle & less waste.

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a

Hearing fixed
4th July Thursday
1889.

Give notice to appellants
& the Regr of Franklin

LL
6/6/89

Memorandum

The following is a summary of facts disclosed ~~f~~ by the papers received with the Shirastha Dy Comm's docket No. 631/598 dated 19th January 1888 on the subject of the dispute between the ryots Dabbanbhairankalli & Sankalapur villages, Shikarpur Taluk regarding their grazing rights.

It would appear that 16 men of Sankalapur village are khatedars of lands in the village of Dabbanbhairankalli paying to Govt a revenue of Rs 189.

At the time of Survey Settlement, Sankalapur was allowed free pasture lands A 23-10 in extent quite close to it. As there was no waste land near about for the purpose, the above extent of cultivable land was given them as pasture, in addition to this free pasture, about 28 acres of assessed waste

Vide Dabbanbhairankalli Shanbog Ramappa's deposition taken down by the Asstd on the 3rd Sept 1886.

land was also assigned
for grazing purposes.

for the Dabbanbhairanahalli village 774 acres of land was allotted as free pasture land in addition to 333 acres of assessed waste.

The survey settlement of the Shikarpur Taluk must have taken place about 1873, and there is nothing on record to shew that the ryots of Sankalapur complained to the survey authorities of the insufficiency of the pasture land for their village. But it does appear that they brought a revenue suit against the ryots of Dabbanbhairanahalli village in 1875-76 for right of pasturage of their cattle in the free pasture land as well as in the assessed waste. The then Amildar who heard the case decided it against the Ryots (vide authenticated copy of judgment filed by the ryots of Dabbanahalli with their appeal petition to this office).

X From Amil's report it appears that 208 acres are nearly useless as there is no grass growing thereon.

Note. From an unauthenticated copy of a comparative statement filed with the papers, it would appear that while the No. of cattle in Sankalapur is only 342 that in Dabbanbhairanahalli is 700.

Against this decision of the Amildar, the ryots of Sankalapuram do not seem to have taken any action. In December 1883 they addressed a petition to the Diwan complaining that they were prevented by the ryots of Dabbanbhairanhalli from grazing their cattle in the pasture land of the said Dabbanbhairanhalli village. This was referred for report to the Dy Comr.

The Dy Comr instructed the Amildar to inspect the village of Sankalapuram personally & report on the sufficiency or otherwise of the pasture land allowed for the village during the settlement & the propriety of selecting any other land than the free pasture land to be allotted for village pasture.

The Amildar reported that Dindadahalli which was close to Sankalapuram had pasture land to the extent of 607 acres; that although the ryots of that village would

consent to be deprived of a portion of it, yet if a portion of it No. 88 measuring A 9 132-29 would be a very convenient piece of land to be given away to Sankalapur as free pasture land, as it was quite close to the village.

The ryots of Sankalapur again addressed a petition to this office stating that their former petition had been referred to the Dy Coll; & that the Amildar had been required by the Dy Coll to submit a report on their claim but that they feared that the Amildar's report would not be favorable to them & praying therefore that pasture land might be allotted to them either in Dabbanbhairankalli or in Kenchagondanakoppal in addition to what was allowed them in their own village by the Survey authorities.

2/ This was forwarded to the Dy Coll for enquiry & disposal. The Dy Coll called for a report from the Amildar. The Amildar reported as follows:—

"I tried to settle the dispute between the ryots of Sankalapur & those of Dabbanbhairanahalli about the kulbanni right. The latter do not wish to ~~purchase~~ have the kulbanni rights in conjunction with the former. They also say that if the ryots of Sankalapur wish to have anything to do with pasture lands situated in their ~~~~ village, it must be conceded on the conditions (1) that their free pasture lands should be exclusively theirs; & (2) that the assessed waste be sold in auction. Those of Sankalapur, on the other hand, say that they hold lands in Dabbanbhairanahalli paying a revenue of nearly Rs 250/- & that consequently they are entitled to a share in the free pasture lands of that village as well as in the assessed waste

with a No 492 Dy 30/7/85

there of. The object of these people seems to be to alter the judgment passed against them by the then Amildar in 1875-76 on the same dispute. On this the Dy Collr ordered that such of the ryots of Sankalapuram as held lands in Dabbanabhiranhalli were entitled to graze their cattle in the free pasture lands as well as in the assessed waste of Dabbanabhiranhalli.

Hookoom No 695-D 25/8/83

In reply to the above, the Amildar reported that he explained to both the parties the purport of the Distt orders & the benefits that would accrue to them by their acquiescence therein; the ryots of Sankalapuram insisted on the division of the pasture lands while those of Dabbanabhiranhalli on the sale; and requested instructions as to whether the pasture lands should be sold by auction in accordance with the existing circular orders.

Ittilla No 614 D 4/9/83

(only the assessed waste left for grazing purposes).

Hookoom No 753 dt 10/9/83

The Amildar Deputy Court directed that under the circumstances represented, the assessed waste in Dabbanbhairankalli left for grazing purposes should be sold in due course; the free pasture lands remaining exclusively in the possession of the ryots of Dabbanbhairankalli.

— No 800 dt 24-9-83 —

In continuation of the above, the Amildar was directed to report how best to divide the grazing of Dabbanbhairankalli between the Ryots of that village & those of Sankalapur so that by the arrangement neither party would be put to any inconvenience.

In reply to the above, the Amildar proposed that the assessed waste in Dabbanbhairankalli measuring 333 acres might be set apart for the cattle of the ryots of Sankalapur, leaving the free pasture in the exclusive possession of the ryots of Dabbanbhairankalli, if they agreed to this, which was very unlikely.

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The Dy Com requested the Amildar to point out to the ryots of Dabbanbhairanhalli that as the ryots of Sankalapur had not sufficient grazing for their cattle, it was the duty of Govt to ~~reck~~ arrange to find such grazing for them and that Sanklapur Ryots have a clear right for the pasture lands at Dabbanbhairanahalli; and to Exert himself in the matter; and to Explain to Bhairanhalli ryots that they have two blocks of Mufat (free) pasture lands; that if they don't agree to provid pasture for the cattle of the ryots of Sankalapur, one block only would be left them & the other disposed of otherwise.

The Amildar assembled the ryots of both the villages & Explained to them the Spirit of the Dy Com's orders. After good deal of persuasion, the ryots of Dabbanbhairanahalli agreed to give the assessed waste of their village to the ryots of Sankalapur; but the latter insisted on having 1/2 of Mufat pasture & 1/2 assessed waste lands

Vide Ittella No 863 dy 31/12/88

3/ and declared that they did not care for the whole of the assessed waste; that what the ryots of Sankalapur require is not so much sufficient grazing for their cattle as the rights to half of the Mufsil pasture and the assessed waste lands allotted by the Survey authorities for the Dabbanbhairanahalli village. The Amildar recommended that to declare that pending a Survey re-settlement the existing arrangement would not be disturbed, would be the only means of putting a stop to the dispute; and expressed his opinion that if Govt now allowed Sankalapur ryots a share in the grazing in the Dabbanbhairanhalli village, it might give room to numerous similar complaints from others.

Vide Dy Comrs order No 1069 dt 22/1/86.

The Amildar was directed to put up to sale the kulbanni of Dabbanbhairanhalli village. The Amildar deputed his Sheristadar to hold the sale

of Dabbanbhairanahalli; a difficulty was setup; Dabbanabhairanahalli ryots wanted the whole of the kulbanni be sold in a lump while those of Sankalapur wanted it to be sold number by number; in compliance with the wishes of the ryots of Sankalapur, the grazing was sold numberwar & they purchased only 10 numbers for Rs 3/8, refusing to take the others: the ryots of Dabbanbhairanahalli byore of their own, offered 11 Rs for the whole of the grazing.

The Dy Comr directed that as it appeared that last year the ryots of both the villages grazed their cattle in the assessed waste of Dabbana- -bhairanahalli, the kul- -banni tax for Parthiva should be collected in the same manner as it was done in the year Jarana.

Dy Comrs No 140 dt 3/5/86

The amildar reported that in accordance with the above order he asked the ryots

Ittitla No 419 dt 7/8/86

of both the villages to produce 21 Rs being the Halbanni tax for Parthiva, as they did in the year previous. The ryots of Dabbanabhiranahalli agreed to pay the whole of the tax with the cess thereon, themselves. Whereas those of Sankalapura said they would pay only according to the number of cattle they grazed on the pasture land; and requested orders as to whether he should collect the whole tax from the Bhiranahalli ryots who are willing to pay it or in proportion ~~from~~ to the number of cattle grazed from both the villages.

No 572 dy 8/9/86. The Dy Comr's order on the above was to send up a few men from both parties who could speak as to their respective contentions: the Amildar selected men from both parties to go up to the Dy Comr:, the 22d & 23d of Sept 1886 was fixed for the determination of this dispute. The selected men

15/ Dabbanbhainanahalli absented themselves on the days on the ground of illness. The Dy Com heard the men of Sankalapur and passed the following order —

No 667 dy 29/9/86.

I was anxious to settle this dispute in a way which would be convenient to both parties. I accordingly required both the parties to appear before me. Dabbanbhainan-halli ryots who would be benefited by the settlement absented themselves and sent a petition stating that they could not attend owing to illness. It is difficult to believe that all the men selected should have taken ill at the same time; the ryots of Sankalapur have said that the men selected to represent Bhairanahalli were not ill. It is decided that the assessed waste of Dabbanabhairanahalli should be divided between them & those of Sankalapur;

41 and that the former should not prevent the latter from grazing their cattle in the Mufat pasture at Dabbanbhairanahalli.

Against this order, the Ryots of Dabbanbhairanhalli have appealed to this Office, on the following grounds.

(1) That the order of the Amildar of the Shikarpur Taluk of the year 1875-76, which declared that the ryots of Sankalapur had no manner of right over the grazing of Dabbanbhairanahalli, had not been appealed against to the competent higher authorities. Several years after this order passed by a competent authorities, the ryots of Sankalapur, put in a Complaint requesting

17

that they might be allowed to graze their cattle in the pasture land at Dabbanbhairanahalli.

(2) That the Dy Comrs order appealed against is contrary to the terms of the Tysoal Patrika of the Survey Deptt.

(3) That the Dy Comr without excusing their absence on the day appointed for the hearing of the case, passed his judgment which confers a right on the ryots of Sankalapura; a right which is at once unjust and against Mamool.

Bangalore
2d Feby 1888

Pr Shamanah for Dhabanbhairahalli ryots and Thimmappanah Mandagadde ryots of Sankalapura.

Shamanah says that there is no dispute to the ryots of Sankalapura petty a portion of the Mebanni appeal wants but they have no it the Mamool Land-for pasturage.

They must prop them table
in them one Mussat Road

The right of Sankalapara that
that then whole Mussat Road
is mostly for them cattle.

It is also that Sankalapara
right have reserve in
DH —

AM
4/7.

The officers also will be
marked as right Mussat
Road which must be
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on either perpendicular
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work (Bitumen) will
be allowed to do in
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the officer may think
proper ——

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(7)

Memorandum

Submitted
2d. Feby 1888

Mace Cufon
Commissioner

3/7/88

C

(1) Proceedings of the Dewan to H. H. the Maharaja of Mysore

No. 2360-9/53 of Bangalore 16th July 1882

Order — It has been brought to the notice of the Government of His Highness the Maharaja that the annual sale of the pasturage of unoccupied Government lands is attended with great hardship to the large bulk of the ryots. At such annual sales, the whole of the available pasturage in a village is not unfrequently bought by some speculator not connected with the village, who sublets the pasturage to the villagers at very exorbitant rents. The extortion and annoyance which result from the present system has for some time past been the subject of frequent complaint from all parts of the Province, and the Government have had under its consideration various proposals for the removal of this evil complained of.

2. It is of course necessary that Government should get some return for the extensive pastures at its disposal. The revenue from this source amounted before the late famine to one lakh of rupees; during the famine years, it was very nearly nil; but since then it has gradually recovered and in 1882-83 stood at 1¼ lakhs. The question now is how to secure this

present revenue and to provide for its prospective increase without reverting to the objectionable system of competitive sales.

3. To the purchaser at the annual sale, the owner of cattle now pays a rent calculated at rates varying from 1 to 2 annas per head, and even for so high a rent, he is often unable to secure the desired pasturage. Under such circumstances, a small Government rate of say $\frac{1}{4}$ annas per rupee of land revenue or $\frac{1}{2}$ anna per head of cattle will doubtless be received as a great boon by the people, while the Government itself will derive therefrom a revenue somewhat higher than what is now realized by the annual sales. A rate calculated upon the land revenue will possess the great advantage of being readily ascertainable, but it is liable to the objection of being regarded as an additional burden upon the land. On the other ~~hand~~ hand, a rate upon every head of cattle will be appropriate in itself, but its imposition will involve the delegation to village servants of powers which can be abused with comparative impunity.

4. Under such circumstances, and pending the adoption, under proper safe guards, of a pasturage rate, if found necessary hereafter, the Government resolve that

during the current year, no kulbanni sales shall take place, but that, in lieu thereof, every village be given the option of securing the right to pasturage within its limits for a price fixed upon the average realization during the past two years. With this object, the following rules are issued for the information and guidance of all Revenue Officers:—

I The average kulbanni realizations of each village during the years 1882-83 and 1883-84 shall be carefully calculated, and the grazing of all unoccupied Govt lands of the village shall then offered for the amount thus ascertained, to the inhabitants of the village for the current year.

II If the villagers accept the grazing on these conditions, the amount to be paid by the whole village shall be apportioned by the various land holders and other residents of the village among themselves, and a list showing the amount payable by each individual according to such apportionment shall be prepared and signed by all the villagers interested. The list shall also be signed by the Patel and Shanbhog. It must be distinctly understood that the apportionment of the total amount payable by the

village among individual members thereof, is a matter of private agreement between themselves.

III The Amildar shall scrutinize such lists and question the villagers as to whether they are satisfied with the arrangements therein recorded. Each individual against whom an amount is entered should be thus questioned. If, upon such enquiry, the Amildar is satisfied that the arrangement is one to which all parties interested have given their assent, he shall certify this fact under his hand on the lists in question, which shall thereupon be recorded with the Shanbhog. The amount specified in these lists against any individual shall thereupon be entered as the demand against him in his Khatè and shall be recoverable from him as a revenue demand

IV. If the inhabitants of any village are unwilling to accept the grazing of the unoccupied Government lands of the village for the amount fixed therefor by para 2, or if they cannot agree among themselves as to the apportionment of this amount; or if, at the Amildar's enquiry, there arise disputes regarding such amount or its apportionment, then the right of grazing

grazing in the village concerned shall be sold on the spot as heretofore.

V In villages, the grazing right of which may be given to the villagers by agreement as above, there shall be no restrictions whatever placed upon the grazing of unoccupied Government lands by the cattle of the village.

VI Instead of disposing of the grazing of each village as above directed, the Amildar may, where found necessary, arrange the villages in convenient groups and dispose of the grazing of each such group separately. Such grouping should be made with strict regard to existing grazing arrangements, and as far as possible with the consent of the villages concerned.

5. The Deputy Commrs and Amildars are requested to give the widest publicity to these rules. Their effect should be fully explained to each village both before and during the ensuing jamabandi. The further continuance of the system now ordered for the current year, or the adoption of the

24/

alternative proposal of a pasturage rate, will depend upon the success with which these rules may be worked. The measure is of great importance to the agricultural population and the Government rely upon the earnest co-operation of all District Officers for introducing and working it in a way calculated to ensure its popularity

(Sd) R. Vijayaraghavan
Secretary

To. All Commrs of Districts
Sub-Divisional Officers
Comptroller

J. Rao

1885.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS

Dated 29th January 1885.

No. 6023-31.
128.

Regarding the surplus grazing lands of one village being used by other villages.

Mysore Government Press, Bangalore.—31-1-85—80.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 29th January 1885.

READ—

Letter No. 1229—930, dated 20th January 1885, from the Deputy Commissioner, Shimoga.

No. 6023-31—128, DATED 29TH JANUARY 1885.

ORDER.—As a general rule the grazing of one village must be limited to the cattle of that village; when however it is abundant and can supply the demand of other villages, there is no objection to the temporary letting of the surplus grazing to the cattle outside, but this must be done under the prescribed rules and no extra collection from the outside ryots should be permitted.

2. In the case now brought to notice the village officials were not justified in making the extra collection and should be warned against doing so in future without orders. The collections which they have made should be recovered from them, and credited to the Government Land Revenue to which they legitimately belong.

Secretary.

To—The Deputy Commissioner, Shimoga District.
The Deputy Commissioners of other Districts.
The Assistant Commissioners in charge of Sub-Divisions.

COURT FEE

EIGHT ANNAS

COURT FEE

EIGHT ANNAS

COURT FEE

EIGHT ANNAS

1875-76

1875

1884-85

ಶಿಕ್ಷಣ ಸಚಿವಾಲಯ, ಬೆಂಗಳೂರು 1875-76 ಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ

ಅಧಿಕೃತ ಪ್ರಕಟಣೆ

ಸಾರ್ವಜನಿಕರಿಗೆ ತಿಳಿಸಲು ಸಂತೋಷವಾಗುತ್ತದೆ

ಈ ಪ್ರಕಟಣೆಯಲ್ಲಿ ಪ್ರಕಟಿಸಲಾಗಿರುವ ಪಟ್ಟಿಯಲ್ಲಿ ಹೆಸರಿಸಲಾಗಿರುವ ಅಭ್ಯರ್ಥಿಗಳು

ಸಂಬಂಧಪಟ್ಟ ಕಾಲೇಜುಗಳಲ್ಲಿ ಪ್ರವೇಶ ಪಡೆಯಲು ಅರ್ಹರಾಗಿರುತ್ತಾರೆ.

ಪ್ರವೇಶ ಪಡೆಯಲು ಅಭ್ಯರ್ಥಿಗಳು ಸಂಬಂಧಪಟ್ಟ ಕಾಲೇಜಿನ ಪ್ರಾಂಶುಪಾಲರನ್ನು

ಸಂಪರ್ಕಿಸಬೇಕು.

ಪ್ರವೇಶ ಪಡೆಯಲು ಕೊನೆಯ ದಿನಾಂಕ 20-1-87

ಈ ದಿನಾಂಕದೊಳಗೆ ಪ್ರವೇಶ ಪಡೆಯದಿದ್ದಲ್ಲಿ ಅಭ್ಯರ್ಥಿಗಳ ಹೆಸರನ್ನು

ಪಟ್ಟಿಯಿಂದ ತೆಗೆದುಹಾಕಲಾಗುವುದು.

ಪ್ರವೇಶ ಪಡೆಯಲು ಅಭ್ಯರ್ಥಿಗಳು ಈ ಕೆಳಕಂಡ ದಾಖಲೆಗಳನ್ನು

ಹಾಜರುಪಡಿಸಬೇಕು.

ಅಭ್ಯರ್ಥಿಗಳು ಪ್ರವೇಶ ಪಡೆಯಲು ಹಾಜರುಪಡಿಸಬೇಕಾದ ದಾಖಲೆಗಳು

1. ಎಸ್.ಎಸ್.ಎಲ್.ಸಿ. ಅಂಕಪಟ್ಟಿ
2. ಜಾತಿ ಪ್ರಮಾಣಪತ್ರ
3. ವರ್ಗಾವಣೆ ಪ್ರಮಾಣಪತ್ರ
4. ಮೂಲ ಪ್ರಮಾಣಪತ್ರ
5. ಆದಾಯ ಪ್ರಮಾಣಪತ್ರ
6. ಹಿಂದುಳಿದ ವರ್ಗಗಳ ಪ್ರಮಾಣಪತ್ರ
7. ಪರಿಶಿಷ್ಟ ಜಾತಿ/ಪಂಗಡ ಪ್ರಮಾಣಪತ್ರ
8. ಅಂಗವಿಕಲ ಪ್ರಮಾಣಪತ್ರ
9. ಸೈನಿಕ ಕುಟುಂಬ ಪ್ರಮಾಣಪತ್ರ
10. ಪಾಸ್‌ಪೋರ್ಟ್ ಅಳತೆಯ ಭಾವಚಿತ್ರಗಳು

(General Serial No. 29)

1886

DEWAN OF MYSORE. 7572 25.JAN.88 487

From The Deputy Commissioner Shimoga

To The Chief Secretary to the Dewan of Mysore.

No. 623

Mysore Dewan's Office,

PETITION DEPARTMENT.

Official Memorandum.

The accompanying Petition No. 2626, dated 1st December 1887 received at the Dewan's Office from Shamappa and others of Birana halli Shikaripur Taluk

is forwarded, together with its Three enclosures, to the Deputy Commissioner Shimoga District, for submission of Proceedings.

Draft

By Order,

Chief Secretary.

BANGALORE, December 1887.

Mysore Government Press, Bangalore.—5-10-86.—2000.

I have the honor to forward herewith the entire records connected with the dispute between the ryots of

38

Dabbandahyranhalli and Sankapur villages of the Shikarpur Taluka, regarding their grazing rights, as called for therein.

B Jagadhara Rao

Deputy Commissioner
Shimoga Dt.

BJR

(33)

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By Order

Mukundrao
Asst. Secretary

11/6/89

34/

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16/6/89

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ನೋಟೀಸ.

[illegible]

ತಾಲ್ಲೂಕು [illegible]

[illegible]

ನೀನು ಹುಜೂರಿಗೆ ಗುಜರಾ

ಯಿಶಿದ [illegible] ಮಾಹೇ 1 ನೇ ಮುದಕುಂನ ಅಪ್ಪೀಲ್ ಅರ್ಜಿಯು ಇಲ್ಲಿಗೆ 4 ನೇ

ತಾರೀಖಿನ ದಿವಸ [illegible] ಮೊಕ್ತಾಂನಲ್ಲಿ ಯಿತುರಿಂಗ್ ಆಗಲ್ಪಡುವದ್ದರಿಂದ ಆ ದಿವಸ ಮಧ್ಯಾನ್ನ

[illegible]

11 ಘಂಟೆಗೆ ನೀವಾಗಲಿ ಅಥವಾ ನಿನ್ನ ಕಡೇ ಪ್ಲೀಡರ್ ವ ಆಡ್ವೋಕೇಟಾಗಲಿ ~~ನಮ್ಮ~~ ಆಫೀಸ್ ರೂಬ

ರೂಬ್ ಹಾಜರಾಗಬೇಕು.

ಹುಜೂರ್ ದಿವ್ಹಾ ಆಫೀಸ್,

ತಾ| 8 | ನೇ 6 ಮಾಹೇ
1889 | ಮೊಕ್ತಾಂ.

[illegible]

[illegible]

By Order,

Khushnakar
for Chief Secretary.

38

ಸಭೆಯಲ್ಲಿ ಹಾಜರಿದ್ದ ಸದಸ್ಯರುಗಳ ಸಹಿ

ಶ್ರೀ ಎಸ್.ಎಂ.ಕೃಷ್ಣ ಮುಖ್ಯಮಂತ್ರಿಗಳು

ಶ್ರೀ ಆರ್.ವಿ.ದೇಶಪಾಂಡೆ ಕಂದಾಯ ಸಚಿವರು

ಶ್ರೀ ಎಸ್.ಆರ್.ಪಾಟೀಲ ಕಾನೂನು ಸಚಿವರು

ಶ್ರೀ ಎಂ.ಪಿ.ಪ್ರಕಾಶ ಸಹಕಾರ ಸಚಿವರು

ಶ್ರೀ ಎಸ್.ಎಂ.ಜಾಮದಾರ ಸಣ್ಣ ನೀರಾವರಿ ಸಚಿವರು

ಶ್ರೀ ಎಸ್.ಬಂಗಾರಪ್ಪ ಪೌರಾಡಳಿತ ಸಚಿವರು

ಶ್ರೀ ಎಂ.ಮಲ್ಲಿಕಾರ್ಜುನಪ್ಪ ಸಣ್ಣ ಕೈಗಾರಿಕೆಗಳು ಸಚಿವರು

ಶ್ರೀ ಎಂ.ಎಸ್.ಆನಂದ್ ಸಿಂಗ್ ಸಚಿವರು

ಶ್ರೀ ಎಂ.ಎಸ್.ಗವಿಯಪ್ಪ

No. 623

(4)

Mysore Dewan's Office,

PETITION DEPARTMENT.

L.R. 45-87-2

(3)

Official Memorandum.

The accompanying Petition No. 2626, dated 1st December 1887 received at the Dewan's Office from Shamappa and others of Biranahalli Shikaripur Taluk

is forwarded, together with its Three enclosures, to the Deputy-Commissioner Shimoga District, for submission of Proceedings.

Draft

BANGALORE,
December 1887.

By Order,
Chief Secretary.

Mysore Government Press, Bangalore.—5-10-86.—2000.

ನೋಟೀಸ್.

[illegible]

ತಾಲ್ಲೂಕು [illegible]

[illegible]

ತಾಲ್ಲೂಕು [illegible] ಈ [illegible] ಆರ್ಡರಿನ

ದಾಖಲ್ಮಾಡಿರುವ ಅಪ್ಪೀಲ್ ಅರ್ಜಿಯು [illegible] ಮಾಹೇ ತಾರೀಖು 4 ರಲ್ಲು ಹಿಯರಿಂಗ್

ಆಗುವೆದ್ದರಿಂದ ಆ ತಾರೀಖಿನ ಮಧ್ಯಾನ್ನ 11 ಘಂಟೆಗೆ [illegible]

ಮೊಕ್ತಾಂನಲ್ಲಿ ~~ನಕ್ತ~~ ಆಫೀಸ ರೂಬರೂಬ್ ನೀವಾಗಲಿ ಅಥವಾ ನಿನ್ನಕಡೇ ಪ್ಲೀಡರ್ ವ ಅಡ್ವೊಕೇಟಾಗಲಿ

ಹಾಜರಾಗಬೇಕು.

By Order,

ಮೈಸೂರ್ ದಿವಾಣ ಆಫೀಸ್
ತಾ|| 8 ನೇ 6 ಮಾಹೇ
1889 ಮೊಕ್ತಾಂ.

Mukundrao
for Chief Secretary.

40

ಕಂಗಣ್ಣನೆಂಬ ಪ್ರಮಾಣಕ್ಕೆ ಕಾರಣವಾದ ಶಬ್ದಗಳು ಯಾವುವೆಂದರೆ
ಸಿಡಿಲುಮಿಂಚು ಮೊದಲಾದ ಶಬ್ದಗಳನ್ನು ಕೈಗೊಂಡಿದೆ ಎಲ್ಲಾ
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/ಜಕವಿಕಕ್ಕಮಣಾನಗ್ಗೆಕೆರುಬ್ರುಲು
/ಜಂಬುಕಚಿಮನಗ್ಗೆಕೆರುಬ್ರುಲು
/ನಂಣಾಚಕಮನನಿಂಗನಗ್ಗೆಕೆರುಬ್ರುಲು
/ಜಂಬುಕಪದನಾಣಾನಗ್ಗೆಕೆರುಬ್ರುಲು
/ಕಪಿಮುಡಿಮಣಾನಗ್ಗೆಕೆರುಬ್ರುಲು
/ಪಕಿಮುಡಿಮನಗ್ಗೆಕೆರುಬ್ರುಲು
ಯಿಪ್ರನರಗ್ಗೆಕೆರುಬ್ರುವಿಗೆ
ಕಪ್ಪಿಲಪಡಕೆನಬರಲಿ
ಯಾತಿಗೊಳಪ್ಪೆಂಬಪಸಾಪೆ
ಕಪಡಿಬಂಕಂಣಾನಸಾಪೆ

Shuddhi

L.R. 45-87-4 (41

No. 2626 of 1887/88

OFFICE OF THE DEWAN OF MYSORE,

(8) 9/7 1889

Appellant Vs. Respondent.

Narasimbhatta & other Ryots of Dabbamboora-halli in the Shikarpur taluk. Chenabasanna, Huddappa and others of Shankalapura.

Endorsement.

In reply to their appeal Petition, dated 1st December 1889, Narasimbhatta and other Ryots of Dabbamboora-halli in the taluk of Shikarpur are informed that the Deputy Comr's decision, so far as it relates to the Respondents right of grazing in the free pasturage lands of the Appellants' village, is Cancelled. In regard to the question of assessed waste for purposes of pasturage between the Appellants & Respondents orders have been issued to the Comr to make an equitable arrangement.

The Respondents are informed that the Deputy Comr's decision, so far as it relates to the Respondents' right of grazing in the free pasturage lands of the Appellants' village, is cancelled. In regard to the question of assessed waste for purposes of pasturage orders have been issued to the Dr Comr to make an equitable arrangement.

Draft for approval

Dispatched 8
12/7/89

L.R. 45-81-3.

(42)

Before the Government of *His Highness* the Maharaja of Mysore

Appeal No. 2626 of 1887-88

Appellants	Vs.	Respondents
Varasambhatta and other ryots of Dabbanboranhalli in the Taluk of Nikarpur.		Rama Rajamma, Chenna Dasa and others of Shankalapur.

Present

Ramanna Dated Bangalore 4th Jany 1889.

Decision.

This is an appeal against the Order of the Deputy Commissioner, dated 29th September 1886, allowing the Respondents, the ryots of Shankalapur, to graze their cattle in the free pasturage lands of the Village of the Appellants, and ordering the assessed waste lands of the Village to be divided between the Appellants and Respondents.

The Respondents, who hold Inam lands in the Village of the Appellants, claimed, in 1875, the right of grazing their cattle in the pasture lands of the Village of the Appellants. The Amildar, who enquired into the matter, rejected their claim on the ground that they did not live in the Village, and had, therefore, no right to graze their cattle in the pasture lands. In 1883, the Respondents repeated their claim, and the Deputy Commissioner, after making several endeavours to settle the matter amicably, decided, in 1885, that the Respondents should be allowed to graze their cattle in the free pasturage lands of the Appellants' Village; and that the assessed waste of the Village should be divided between the

Appellants and Respondents for purposes of pasturage
The appeal is against this Order -

Shamanna, the appellant present, states that there is no objection to the Respondents getting a portion of the assessed waste of his Village for the purposes of pasturage, but that they are not entitled to any portion of free pasturage lands.

The Respondents are unable to adduce any reason why they should be allowed to graze their cattle in the Village of Appellants. They merely state that the free pasturage lands of their own Village are inadequate.

The Government observe that the free pasturage lands of the Appellants' Village have been assigned by the Survey Department - The right of grazing cattle in these lands therefore vests, under Section 40 of the Revenue Code, in the Appellants only, and the Respondents, who are not the inhabitants of the Village, have no right to it - The Deputy Commissioner's decision, so far as it relates to the Respondents' right of grazing in the free pasturage lands of the Appellants' Village is therefore cancelled. As regards the use of the assessed waste, all the ryots of the Village, whether they are inhabitants of the Village or not, are entitled, but the use must be regulated with reference to the assessment paid by the several ryots - The Government have no information as to the area of the land held and assessment paid by the Appellants and Respondents respectively - The Deputy Commissioner will therefore be requested to divide the assessed waste

between the Appellants and Respondents in proportion to the assessment paid on the lands in the Village by each of them, of course on the distinct understanding that, if there should be any application for the cultivation of the lands, the present division will be no bar to the application being granted.

A. Thumboo Chetty
M. Chetty alias
Councillors

To
The Deputy Commissioner Kurunegala
returning proceedings
Endorsement to Appellants
and Respondents.

2/p.92 RAV

C (9).

1889

To, The Deputy Commr. Shemoga

Dated 4th July 1889
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